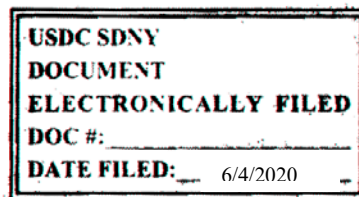


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



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MAURICE OPARAJI,

Plaintiff,

19-CV-4034 (AT)(SN)

-against-

**ORDER**

MUNICIPAL CREDIT UNION,

Defendant.

-----X

SARAH NETBURN, United States Magistrate Judge.

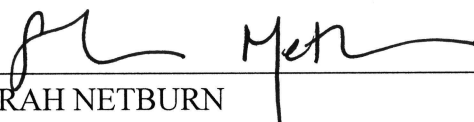
Defendants' memorandum of law in support of their motion to dismiss, ECF No. 23, notes that Plaintiff was refunded in full for all overdraft fees alleged in the complaint. See Defs.' Mot. at 3, n.3. Exhibit E to Plaintiff's Opposition, ECF No. 14, is a letter from Defendant Municipal Credit Union dated August 2, 2018, stating that Plaintiff had been credited \$2,070.00 as a refund for the disputed overdraft fees. Id. at 26-27. Defendants' response to Plaintiff's objection to the Court's Report and Recommendation argues that the refund renders Plaintiff's breach of contract claim moot. ECF No. 28, at 4-5.

By June 12, 2020, the parties shall file a letter, not to exceed five pages, addressing whether Plaintiff's remaining claims are moot because of the refund of the overdraft fees.

**SO ORDERED.**

DATED: June 4, 2020  
New York, New York

cc: Maurice Oparaji (*by chambers*)  
245-11 133 Road  
Rosedale, NY 11422

  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge